

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chairman Jeff Essmann, on April 3, 2009 at
8:00 A.M., in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Jeff Essmann, Chairman (R)
Sen. Taylor Brown, Vice Chairman (R)
Sen. Jerry W. Black (R)
Sen. Gary Branae (D)
Sen. Ron Erickson (D)
Sen. Kelly Gebhardt (R)
Sen. Kim Gillan (D)
Sen. Bradley Hamlett (D)
Sen. Christine Kaufmann (D)
Sen. Bruce Tutvedt (R)

Members Excused: Sen. Bob Story Jr. (R)

Members Absent: None

Staff Present: Lee Heiman, Legislative Branch
Debra Polhemus, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 670, 3/31/2009

Executive Action: HB 636 ~ PARTIAL ACTION

DO CONCUR: DO CONCUR AS AMENDED: TABLED:

HB 487
HB 562

HB 670

HB 262

Committee Business:

00:00:36 Chairman Essmann
00:01:03 Sen. Brown

EXECUTIVE ACTION ON HB 487

00:05:07 **Motion:** Sen. Brown moved that **HB 487 BE CONCURRED IN.**

Discussion:

00:05:14 Sen. Brown
00:05:54 Sen. Erickson
00:09:15 Sen. Tutvedt
00:11:30 Chairman Essmann
00:13:22 Sen. Hamlett
00:14:19 Sen. Tutvedt
00:14:42 Sen. Hamlett
00:16:05 Sen. Erickson

00:17:02 **Vote:** Motion carried 7-4 by roll call vote with Sens. Branae, Erickson, Gillan, and Kaufmann voting no and Sen. Story voting by proxy. Sen. Tutvedt will carry HB 487.

HEARING ON HB 670

Opening Statement by Sponsor:

00:18:02 Rep. Chas Vincent (R), HD 2, opened the hearing on HB 670, Provide local government discretion in reducing tax value for certain property.

Proponents' Testimony:

00:21:18 Mary Whittinghill, Montana Taxpayers Association (MTA)
00:22:56 Jon Bennion, representing Montana Chamber of Commerce
00:23:32 L. Harold Blattie, Executive Director, Montana Association of Counties (MACo)
00:24:40 Robert Johnson, representing the AFL-CIO, also speaking for Jason Todhunter, Montana Logging Association
00:25:27 Ronda Wiggers, representing Montana County Treasurers' Association (MCTA)
00:26:39 Riley Johnson, representing National Federation of Independent Business (NFIB)

Opponents' Testimony: None

Informational Testimony:

00:27:10 Gene Walborn, Department of Revenue (DOR)

Questions from Committee Members and Responses:

00:30:13 Chairman Essmann
 00:30:35 Gene Walborn, DOR
 00:31:02 Chairman Essmann
 00:31:13 Rep. Vincent
 00:32:21 Sen. Tutvedt
 00:32:38 Gene Walborn
 00:32:53 Mary Whittinghill, MTA
 00:33:17 Sen. Kaufmann
 00:33:51 Rep. Vincent
 00:35:08 Sen. Tutvedt
 00:35:48 Rep. Vincent
 00:36:36 Sen. Erickson
 00:37:23 Rep. Vincent

Closing by Sponsor:

00:37:44 Rep. Vincent

EXECUTIVE ACTION ON HB 670

00:39:01 **Motion:** Sen. Brown moved that **HB 670 BE CONCURRED IN.**

00:39:10 **Motion:** Sen. Brown moved that **HB 670 BE AMENDED WITH A CONCEPTUAL AMENDMENT** to insert the words "excluding land."

00:39:20 Sen. Brown withdrew the motion that **HB 670 BE AMENDED WITH A CONCEPTUAL AMENDMENT.**

00:39:33 **Motion/Vote:** Sen. Essmann moved that **HB 670 BE AMENDED WITH A CONCEPTUAL AMENDMENT** to insert the phrase "other than land" on Lines 28 and 29. Motion carried unanimously by voice vote of those present and voting.

00:41:06 **Motion:** Sen. Black moved that **HB 670 BE CONCURRED IN AS AMENDED.**

Discussion:

00:41:15 Sen. Kaufmann
 00:41:30 Chairman Essmann
 00:42:12 Sen. Brown
 00:42:35 Sen. Tutvedt
 00:43:17 Chairman Essmann
 00:43:33 Lee Heiman, Legislative Services Division (LSD)
 00:44:14 Sen. Gebhardt

 00:44:32 **Vote:** Motion carried unanimously by voice vote of those present and voting. Sen. Gebhardt will carry HB 670.

EXECUTIVE ACTION ON HB 562

00:45:32 **Motion:** Sen. Brown moved that **HB 562 BE CONCURRED IN.**

Discussion:

00:45:42 Sen. Gebhardt
 00:47:27 Sen. Brown
 00:47:51 Sen. Gebhardt
 00:49:17 Sen. Tutvedt
 00:50:42 Chairman Essmann
 00:51:13 Sen. Hamlett

 00:52:25 **Vote:** Motion carried 9-1 by voice vote of those present and voting with Sen. Gebhardt voting no. Sen. Taylor Brown will carry HB 562.

EXECUTIVE ACTION ON HB 262

00:53:37 **Motion:** Sen. Erickson moved that **HB 262 BE CONCURRED IN.**

Discussion:

00:53:54 Sen. Gebhardt
 00:54:20 Chairman Essmann
 00:54:27 Sen. Gebhardt
 00:55:38 Sen. Brown
 00:56:17 Sen. Black
 00:57:28 Sen. Kaufmann
 00:58:39 Sen. Hamlett
 00:58:55 Sen. Gebhardt
 00:59:16 Sen. Gillan
 00:59:55 Chairman Essmann
 01:01:04 Sen. Erickson

Discussion: (Con't)

01:01:58 Sen. Kaufmann
01:02:38 Lee Heiman, LSD
01:03:35 Sen. Gebhardt

01:05:17 **Vote:** Motion failed 5-6 by roll call vote with Sens. Branae, Erickson, Gillan, Hamlett, and Kaufmann voting aye and Sen. Story voting by proxy. Without objection from the committee, Chairman Essmann requested that the bill be tabled and the vote reversed.

EXECUTIVE ACTION ON HB 636

01:06:53 **Motion:** Sen. Erickson moved that **HB 636 BE CONCURRED IN.**

Discussion:

01:07:08 Sen. Tutvedt
01:07:34 Sen. Erickson
01:08:30 Sen. Branae
01:09:10 Sen. Hamlett
01:09:58 Chairman Essmann
01:12:52 Sen. Gillan
01:15:23 Sen. Erickson
01:17:44 Chairman Essmann

01:18:15 Sen. Erickson withdrew motion that **HB 636 BE CONCURRED IN.**

Committee Business:

01:18:25 Chairman Essmann
01:21:15 Sen. Gillan
01:22:01 Chairman Essmann

ADJOURNMENT

Adjournment: 9:30 A.M.

Debra Polhemus, Secretary

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Additional Documents:

EXHIBIT ([tas74aad.pdf](#))